

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gholam-Reza Zadno-Azizi, *et al.*
Serial No.: 10/081,569
Filed: February 21, 2002
For: *BODY FLUID FLOW CONTROL
DEVICE*
Art Unit: 3738
Examiner: Unassigned

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TECHNOLOGY CENTER 3700

TRANSMITTAL LETTER

US Patent and Trademark Office
PO Box 2327
Arlington, VA 22202

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TECHNOLOGY CENTER R3700

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, cited references and a PTO-Form 1449 (3 page) for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed **after receipt of a First Office Action on the merits for the above-captioned application** but before either a Final Office Action or Notice of Allowance in the above-referenced application, a fee for filing this statement is included herewith. However, should said fee be either missing or incorrect, the Commissioner is authorized to charge deposit account No. 50-1213, for the appropriate fee as stated below:

[X] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 05-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,

HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Fred C. Hernandez
Registration No. 41,832

Dated: April 22, 2003
Attorney Docket No. 38349-0102D
Address all correspondence to:
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HELLER EHRMAN WHITE & McAULIFFE LLP

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San Diego, CA 92122-1246
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98**

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Since this Supplemental Information Disclosure Statement is filed after receipt of a first Office Action on the merits for the above-captioned application, the filing fee of \$180.00 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98 Forms PTO-1449 (3 pages) and copies of the cited documents are provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 and supplied herewith are in the

USSN 10/081,569

ZADNO-AZIZI *et al.*

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

English language except items AU & AV which are in the Russian language. Items AU (Russian patent 2140211) & AV (Soviet Union patent 852321) are provided with an English language equivalent (items AX & AY respectively) . Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

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Sheet 1 of 3

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| | AJ | 6,510,846 (B1) | 01/28/03 | O'Rourke | 128/200.21 | 10/26/00 |
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| | AM | 01/13908 (A2) | 03/01/01 | PCT | |
| | AN | 01/54685 (A1) | 08/02/01 | PCT | |
| | AO | 01/95786 (A2) | 12/20/01 | PCT | |
| | AP | 02/05884 (A2) | 1/24/02 | PCT | |
| | AQ | 02/34322 (A2) | 5/2/02 | PCT | |

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| | AU | 2140211 | 10/27/99 | RU | X |
| | AV | 852321 | 07/08/81 | SU | X |

x English Language Derwent is enclosed.

OTHER DOCUMENTS

| † EX'R INITIAL | REF. # | CITATION (Author, Article Title, Journal/Book Title, Date, Pertinent Pages, etc.) |
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| | AX | Derwent citing Russian Patent No. RU 2140211, published 10/27/99, for: "Method of surgical treatment of patients with pathology of respiratory organs complicated with pulmonary hemorrhages" |
| | AY | Derwent citing Soviet Union Patent No. SU 852-321, published 07/08/81, for: "Treatment for acute pulmonary and pleural disease in children - by pneumo-abcessotomy simultaneous with occlusion of affected lung part" |
| | AZ | Harris et al., "The Experimental Production in Dogs of Emphysema with Associated Asthmatic Syndrome by Means of an Intratracheal Ball Valve." <i>J. Exp Med</i> 30:1919; 75-88 |
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| | BE | Snider et al., <i>The Definition of Emphysema: Report of the National Heart Lung and Blood Institute, Division of Lung Diseases Workshop, Am. Rev. Respir. Dis.</i> , 132:182, 1985 |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.56, §1.97, and §1.98

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Sheet 3 of 3

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Zadno-Azizi et al.

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